



THE STATE OF UTAH
OFFICE OF STATE ENGINEER

WAYNE D. CRIDDLE
STATE ENGINEER

~~SALT LAKE CITY~~

Cedar City, Utah
August 27, 1959



Mr. Wayne D. Criddle
State Engineer
403 State Capitol

Dear Mr. Criddle:

RE: Escalante Valley Adjudication

1. Irrigation season-As regards Applications 17163, 17162 and 17332; must the irrigation and development be finished by September 30, 1959, since the applications call for this end to the period of use? There still remains about 140 acres to develop under these applications and the usual irrigation season ends October 31. As Water Commissioner shall I insist that irrigation not be permitted beyond the date called for in the application or can the State Engineer extend the irrigation period to November 1st for everyone, regardless of what the application reads?
2. Several application have recently been segregated and portions changed to different places of use; is it possible to file a Water Users Claim on the Mother Application before the Segregation and Change are approved. It seems to me that if an election to have the State Engineer file a claim is received before such segregation and change is approved, that the records would be in conflict. Some users want to file the election as soon as the Segregation and Change are filed and I should advise them of what action to take. Examples are A 15980, 15878, 17332, and 14523.
3. A 26187-There is some question in my mind as to how I am able to overlook continued pumpage under the unapproved application mentioned and yet send in a citation when a farmer continues to pump beyond his allowance. If such a situation were to be brought to light, It seems I would be in violation of my bond. For my protection I should have more than a "request from you to let the Columbia Iron Mines continue to pump." See letter of Aug. 18.
4. Procedure for proof-Some water users have the idea that if they have an 80-acre water right and irrigated 40 acres of it in 1958, then cleared and irrigated an additional 40 acres in 1959, that they will be allowed a claim for 80 acres of irrigation without irrigating the first 40 acres ^{again} in 1959. My interpretation is that only 20% of the 80 acres will be allowed out of production the year proof is made.
5. Stockwatering-A basic weakness in the adjudication is the lack of any standard procedure for setting up stockwatering rights. Certificates have been issued, and still are, which do not set down the extent of stockwatering rights in any way; yet when the information is transferred to a Water Users Claim the number of cattle, sheep, hogs, etc. must be specified. It seems all we have to do is ask the farmer or his wife what they claim and write it down as a permanent record. Something to think about! (As an example of distribution problems see W.U.C. 309, page 194, Escalante Valley Determination; The ~~present~~ owner has about 200 head of sheep on the farm, yet the book shows 65.812 ac. ft. with supplementals. Suggest what I allow?)

Sincerely,

Cliff

Clifton W. Johnson, Engineer